IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

SECOND APPEAL NO. 391 OF 2007

Sahebrao Tryambakrao Bobade vs. Narayan @ Subhash Krishna Mahalle

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
NOVEMBER 01, 2007.

Heard Shri Bapat, learned counsel for the appellant – original plaintiff.

The challenge is to the reversing appellate Court judgment. The suit filed by the plaintiff on the basis of title deed which demonstrates that he ought to have been in possession of 18 Acres of land was decreed by the Court below and the appellate Court has reversed that decree on the ground that the plaintiff failed to make out any cause of action. The plaintiff had prayed that his possession over 18 Acres and 1 Gunthas of land should be confirmed by issuing appropriate declaration in this respect.

Shri Bapat, learned counsel during arguments pointed out that the revenue

records reveal less area in possession of the appellant – plaintiff. In view of the arguments advanced, no case is made out. I do not find any perversity in the approach of the appellate Court. The plaintiff could have taken steps to get the revenue records corrected and could have filed suit against defendant if any cause of action arose against him.

In the circumstances, no substantial question of law arises. Second Appeal is dismissed. No order as to costs.

JUDGE

*GS.